

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

D George Sweigert,

Plaintiff,

-against-

Jason Goodman,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 10/8/2020

1:18-cv-08653 (VEC) (SDA)

ORDER

STEWART D. AARON, UNITED STATES MAGISTRATE JUDGE:

WHEREAS, on September 1, 2020, there was filed on the docket on behalf of Defendant a document entitled “COUNTER CLAIM VERIFIED AMENDED COMPLAINT” (ECF No. 145); and

WHEREAS, on September 9, 2020, there was filed on the docket on behalf of Plaintiff a document entitled “PLAINTIFF’S NOTICE OF MOTION IN OPPOSITION TO DEFENDANT’S COUNTERCLAIM PAPERS (DOC. #145) PURS. TO RULE 12(b)(6) FAILURE TO STATE A CAUSE OR, IN THE ALTERNATIVE, RULE 12(b)(1) LACK OF JURISDICTION” (ECF No. 148); and

WHEREAS, on September 10, 2020, there was filed on the docket on behalf of Plaintiff a document entitled “PLAINTIFF’S NOTICE OF AMENDED MOTION IN OPPOSITION TO COUNTERCLAIM PAPERS (DKT. 145) PURS. TO RULE 12(b)(6) FAILURE TO STATE A CAUSE OR, IN THE ALTERNATIVE, RULE 12(B)(1) LACK OF JURISDICTION” (ECF No. 151); and

WHEREAS, on October 5, 2020, there was filed on the docket a letter from Plaintiff requesting that the Court “decide that [ECF No.] 148 was unopposed by Defendant” (ECF No. 157); and

WHEREAS, given Defendant’s *pro se* status, the Court declines to address Plaintiff’s amended motion (ECF No. 151) without providing Defendant an opportunity to respond.

NOW, THEREFORE, it is hereby ORDERED that any opposition by Defendant to Plaintiff's amended motion (ECF No. 151) shall be filed no later than October 29, 2020. Any reply shall be filed no later than November 12, 2020.

The Clerk of Court is directed to mail a copy of this Order to the *pro se* parties.

SO ORDERED.

DATED: New York, New York
October 8, 2020

A handwritten signature in black ink, reading "Stewart D. Aaron", is written over a horizontal line.

STEWART D. AARON
United States Magistrate Judge